THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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WRIT PETITION No.35764 of 1998

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Dated : 12-09-2005

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Between:

K.Viswanadham.

.. **PETITIONER**

AND

The Board of Directors Girijan Co-operative Corporation Limited

and another.

.. RESPONDENTS

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ORDER:

This writ petition is filed challenging the proceedings of the second respondent dated 07-07-1997, whereby, the petitioner was dismissed from service and proceedings in RC.No.7840 of 2005, dated 16-11-1998, whereby the first respondent-appellate authority appointed the petitioner as Junior Assistant afresh

treating the period from the date of receipt of the dismissal order till the date of his joining on reinstatement to be treated as “not on duty”.

During the pendency of this writ petition, Arbitration reference No.14/07-98 was filed by the Corporation for recovery of an amount of Rs.85,000/- (Rupees eighty five thousand only) from the petitioner. The Arbitrator passed an award on 29-12-1999, wherein, it was held that the petitioner had not misappropriated the amount of Rs.85,000/-. Consequently, the second respondent issued proceedings in Rc.7840/98.A7, dated 15-10-2000, a copy of which is produced before this court by Sri N.Sridhar Reddy, learned Standing Counsel for the respondent-Corporation, whereby, the petitioner was absolved of the charges and reinstated to duty to his original position and the period of absence on suspension from 14-12-1995 till his joining, consequent to the order dated 15-10-2000, was treated as “on duty”.

Sri N.Sridhar Reddy, learned Standing Counsel for the respondent-Corporation would submit that in view of the orders passed by the second respondent on 15-10-2000, in effect, setting aside the earlier proceedings dated 07-07-1997 and 16-11-1998, the cause in the writ petition no longer survives.

Recording this submission of the learned Standing Counsel for the respondent-Corporation, the writ petition is dismissed as infructuous. No order as to costs.

RAMESH RANGANATHAN, J

Dated: 12-09-2005

Prv